

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the matter of)	
)	
Oceanic Time Warner Cable,)	File Nos. EB-07-SE-351, EB-07-SE-352
a division of Time Warner Cable, Inc.)	
Oceanic Kauai Cable System)	NAL/Acct. Nos. 200932100001,
)	200932100002, 200932100003
Oceanic Time Warner Cable,)	
a division of Time Warner Cable, Inc.)	FRN Nos. 0018049841, 0016034050
Oceanic Oahu Central Cable System)	
)	
Cox Communications, Inc.)	
Fairfax County, Virginia Cable System)	

ORDER

Adopted: April 14, 2009

Released: April 14, 2009

By the Chief, Enforcement Bureau:

1. In this Order, we stay the effective date of the refund requirements in the *Forfeiture Orders* issued in the above captioned cases on January 19, 2009.¹ Specifically, the Enforcement Bureau ordered Oceanic Time Warner Cable, a division of Time Warner Cable, Inc. ("TWC") and Cox Communications Inc. ("Cox") to issue refunds to CableCARD customers within ninety (90) days of the release of the *Forfeiture Order*.² Both TWC and Cox filed Petitions for Reconsideration and Requests for Stay of their respective *Forfeiture Orders*.³ In order to fully consider the merits of the Petitions for Reconsideration, we are staying indefinitely the effective date of the refund requirements set forth in the *Forfeiture Orders*. This action is without prejudice to the right of the Bureau to reimpose any such requirement after further evaluation. This action affects no other portion of the *Forfeiture Orders*.

2. A copy of this Order shall be sent Certified Mail, Return Receipt Requested, to Matthew A. Brill, Latham & Watkins LLP, 555 11th Street, N.W., Suite 1000, Washington, DC 20004 and Arthur H. Harding, Fleischman & Harding LLP, 1255 23rd Street, N.W., Eighth Floor, Washington, DC 20037,

¹ See *Oceanic Time Warner Cable, a division of Time Warner Cable, Inc., Oceanic Oahu Central Cable System*, Forfeiture Order, 24 FCC Rcd 994 (Enf. Bur. 2009) ("*Oceanic Oahu Central Forfeiture Order*"); *Oceanic Time Warner Cable, a division of Time Warner Cable, Inc., Oceanic Kauai Cable System*, Forfeiture Order, 24 FCC Rcd 1031 (Enf. Bur. 2009) ("*Oceanic Kauai Forfeiture Order*"); *Cox Communications, Inc., Fairfax County, Virginia Cable System*, Forfeiture Order, 24 FCC Rcd 1013 (Enf. Bur. 2009) ("*Cox Fairfax County Forfeiture Order*").

² See *Oceanic Oahu Central Forfeiture Order*, 24 FCC Rcd at 1011; *Oceanic Kauai Forfeiture Order*, 24 FCC Rcd at 1048; *Cox Fairfax County Forfeiture Order*, 24 FCC Rcd at 1027.

³ See *Petition for Reconsideration of Time Warner Cable Inc.* (filed Feb. 18, 2009) ("*TWC Recon Petition*"); *Time Warner Cable Inc. Request for Stay Pending Resolution of Petition for Reconsideration* (filed Feb. 18, 2009) ("*TWC Stay Request*"); *Petition for Reconsideration of Forfeiture Order*, filed by Cox Communications, Inc. ("*Cox Recon Petition*") (filed Feb. 18, 2009); *Request for Stay*, filed by Cox Communications, Inc. (filed Feb. 18, 2009) ("*Cox Stay Request*").

counsels for Time Warner Cable, Inc., and Kathleen Q. Abernathy, Wilkinson Barker Knauer, LLP, 2300 N Street, N.W., Suite 700, Washington, DC 20037, counsel for Cox Communications, Inc.

FEDERAL COMMUNICATIONS COMMISSION

Kris Anne Monteith
Chief, Enforcement Bureau